

Legal & Emergency Response
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September 26, 2023

T-Mobile Tracking ID: 4635368
Case Number: 2:20-CV-06301-ER

Objection

T-Mobile hereby objects to the referenced legal demand and is unable to respond to your request for the following reason(s):

In regard to identifier(s) 9271, Call records on prepaid and wholesale accounts are stored for approximately 24 months following usage. No call records were found for the target number for the date range indicated.

In regard to identifier(s) 9271, Subpoenas seeking records for subscribers residing in CA, DE or PA are void and ineffective unless they include a consent signed by the account holder. See California Public Utilities Code §2891(a)(4) and Cal. Civ. Pro. Code §1985.3(f), Del. Code Ann. Tit. 11 §2423 and 18 Pa. C.S. §5742. In the absence of a signed consent, T-Mobile/Metro by T-Mobile will abide by an order issued from the presiding court which directs release of the information sought. However, if the target telephone number is associated with a CA, PA or DE prepaid account, a subpoena with signed consent is insufficient. A court order is required for release of pre-paid records. Subscribers of prepaid accounts are not required to provide identifying information upon account activation. It is not possible to verify the identity of a pre-paid subscriber when a written consent is offered. The CA, DE and PA written consent requirements are impossible to achieve with a prepaid billing account. A court order is required for release of subscriber information associated with a CA, DE or PA prepaid account.

In regard to identifier(s) 9271, The target telephone number is associated with a CA, PA or DE postpaid account. SUBPOENA WITH CONSENT OR COURT ORDER REQUIRED FOR RELEASE OF RECORDS.

In regard to identifier(s) 9271, The legal demand does not include a docket number.

Notwithstanding the above objections, and without waiving same, T-Mobile may also object to the referenced legal demand for one or more of the following reason(s):

a) failure of personal service; b) lack of personal jurisdiction; c) demand is facially invalid; d) demand is overbroad, unduly burdensome and/or not refined in scope or date range; e) demand does not provide reasonable time for response; f) demand seeks electronic records that are not readily accessible; and/or g) demand seeks records that are not stored or maintained by T-Mobile.